P27109.A05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Thomas GRAFENAUER Group Art Unit: 1774

Appln. No.: 10/697,561 Examiner: Dixon, M.

Filed : October 31 2003 Confirmation No : 8413

For : WOOD FIBERBOARD (as amended)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Pursuant to Applicants' duty of disclosure under 37 C.F.R. §1.65, and in accordance with the provisions of 37 C.F.R. §§1.97 et seq., Applicants respectfully bring the following documents, listed on the attached form PTO-1449, to the attention of the Examiner in charge of the above-identified application. Applicants respectfully request that the Examiner consider the materials cited and indicate such consideration by appropriately initialing the enclosed PTO-1449 and including a copy of the initialed form in the next official communication.

Copies of the cited/listed non-U.S. patent documents are included herewith. However, pursuant to the U.S. Patent and Trademark Office's decision to vaive the requirement under 37 C.F.R.1.98 (a)(2)(i), copies of the cited/listed U.S. patents and U.S. published patent applications are not enclosed herewith.

This citation does not constitute an admission that the documents are relevant or material to the claims. They are only cited as constituting related art of which Applicants are aware. Applicants became aware of the documents cited herein through

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the presecution of previous patent applications before the USPTO and abroad, and through extensive litigation in the floor panel industry, including, for example, Alloc, Inc. v. International Trade Commission, 342 F.3d 1361, 68 U.S.P.Q. 1161 (Fed. Cir. 2003). Accordingly, these documents are being submitted pursuant to Applicants' duty of disclosure under 37 C.F.R. §1.56 and to assist the Examiner in performing the most effective examination process.

This Supplemental Information Disclosure Statement is being submitted concurrently with a request for reconsideration under 37 C.F.R. §1.116. Should the Examiner consider these documents at this stage of prosecution, or should prosecution be re-opened, Applicants authorize the amount of \$180.00 to be charged to Deposit Account No. 19-0089 to ensure consideration of the enclosed documents under 37 C.F.R. §1.97(c). Please charge any additional fees necessary for consideration of the papers filed herein and refund excess payments to Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

> Respectfully submitted, Thomas GRAFENAUER

Andrew M. Calderon Reg. No. 38.093

October 17, 2006 GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clarke Place Reston, VA 20191 (703) 716-1191 P27109.P01 Sheet 1 of 22

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)

FORM PTO-1449

U.S. Department of Commerce | Attv. Docket No. Application No. P27109 10/897,561 Applicant

Thomas Grafenauer Filing Date Group Art Unit October 31, 2003 1774

U.S. PATENT DOCUMENTS

EXAMINER INITIAL			DO	CUME	NT	NUM	BER		DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5	7	9	7	1	7	5	8/25/98	Schneider			
		3	0	2	3	9	0	7	2/15/00	Pervan			
		3	7	6	9	2	1	7	8/3/04	Nelson			
		6	7	6	9	8	3	5	8/3/01	Stridsman			
		ŝ	7	6	1	0	0	8	7/13/04	Chen et al.			
		3	7	1	1	8	6	4	3/30/04	Erwin			
		ŝ	7	7	5	5	4	5	1/13/04	Chen et al.			
		8	6	1	7	0	0	9	9/9/03	Chen et al.			
		ŝ	5	5	3	7	2	4	4/29/03	Bigler			
		ô	4	6	0	3	0	6	10/8/02	Nelson			
		6	4	5	3	6	3	2	9/24/02	Huang			
-		6	4	4	9	9	1	8	9/17/02	Nelson		1	
1		6	4	3	8	9	1	9	8/27/02	Knauseder			
		6	4	2	7	4	0	8	8/6/02	Krieger			
		6	0	6	5	2	6	2	5/23/00	Motta		Į	
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Webster Dictionary, page 862.

Opposition II EPO. 698, 162 - Facts - Arguments Evidence (11 pages) - translation

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) Atty. Docket No. Application No. 10/697,561

Applicant

Thomas Grafenauer
Filing Date Group Art Unit
October 31, 2003 1774

U.S. PATENT DOCUMENTS

EXAMINER INITIAL			DO	CUMI	ENT	NUM	BER		DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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	- 1:	2	2	8	0	0	7	1	4/21/42	Hamilton			
	1	4	2	4	5	6	8	9	1/20/81	Grard et al.			
	1	4	6	5	4	2	4	4	3/31/87	Eckert et al.			
	1	4	9	4	7	6	0	2	8/14/90	Pollasky			
		5	1	0	3	6	1	4	4/14/92	Kawaguchi et al.			
		5	2	0	5	0	9	1	4/27/93	Brown			
		5	7	3	6	2	2	7	4/7/98	Sweet et al.			
		5	5	4	0	0	2	5	7/30/96	Takehara et al.			
		5	2	8	3	1	0	2	2/1/94	Sweet et al.			
		1	9	2	1	1	6	4	8/8/33	Lewis			
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U.S. Court of Appeals for the Federal Circuit, 02-1222-1291 Alloc, Inc. vs. International Trade Commission, pp. 1-32.

U.S. Court of Appeals for the Federal Circuit Decision in Alloc, Inc. et al. vs. International Trade Commission and Pergs, Inc. et al. decided September 10, 2003.

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FORM PTO-1449	U.S. Department of Commerce Patent and Trademark Office		Application No. 10/897,561
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U.S. Department of Commerce Patent and Trademark Office

Atty. Docket No. Application No. P27109 10/697.561

Applicant Thomas Grafenauer

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)

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Filing Date

Group Art Unit 1774

EXAMINER INITIAL		000	CUM	ENT	NUM	BER		DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5	9	5	3	8	7	8	9/21/99	Johnson			
	5	6	9	4	7	3	4	12/9/97	Cercone et al.			
	5	3	4	8	7	7	8	9/20/94	Knipp et al.			
	5	2	5	1	9	9	6	10/12/93	Hiller et al.			
	4	1	6	4	8	3	2	8/21/79	Van Zandt			
	3	7	6	0	5	4	8	9/25/73	Sauer et al.			
	3	7	2	0	0	2	7	3/13/73	Christensen			1
-	3	6	0	8	2	5	8	9/28/71	V.E. Spratt			
	2	3	2	8	0	5	1	8/31/43	A.S. Bull			
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	1	9	4	6	6	4	8	2/13/34	Taylor			
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		6	2	3	5	6	2	4/25/1899	Rider			
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FORM PTO-1449 U.S. Department of Commerce Atty. Docket No. Application No.

Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)

P27109 10/697.561 Applicant

Thomas Grafenauer Filing Date October 31, 2003

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EXAMINER INITIAL		D	00	UME	ENT	NUM	BER		DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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	4		7	6	9	9	6	3	9/13/88	Meyerson			
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	4		2	4	6	3	1	0	1/20/81	Hunt et al.			
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	3	,	5	2	6	4	2	0	9/1/70	Brancaleone			
	4		0	0	6	0	4	8	2/1/77	Cannady, Jr. et al.			
	- 4		9	0	6	0	4		3/6/90	Daniels			
	12		4	3	0	2	0	0	11/4/47	Wilson			

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-	59-	1	8	6	3	3	6	10/23/84	JP			-	
	2	1	2	6	1	0	6	3/21/84	GB				

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U.S. Department of Commerce | Attv. Docket No. Application No. 10/697.561 P27109 Applicant

Thomas Grafenauer Filing Date Group Art Unit October 31, 2003 1774

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EXAMINER INITIAL		DO	CUM	ENT	NUM	BER		DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	20	03/0	0024	200	1			2/6/03	Moriau et al.			
	20	02/0	0056	245	,			5/16/02	Thiers			
	20	02/0	0020	127				2/21/02	Thiers et al.			
	20	02/	0014	1047	,			2/7/02	Thiers			
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	6	5	5	8	7	5	4	5/6/03	Velin et al.			
	6	5	6	5	9	1	9	5/20/03	Hansson et al.			

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	87	1	0	3	8	3	9	7/2/87	WO				
	2	7	1	2	3	2	9	5/19/95	FR				

EXAMINER

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P27109.P01 Sheet 7 of 22 FORM PTO-1449 U.S. Department of Commerce Atty, Docket No. Application No. Patent and Trademark Office P27109 10/697.561 Applicant INFORMATION DISCLOSURE STATEMENT Thomas Grafenauer BY APPLICANT (Use several sheets if necessary) Filing Date Group Art Unit October 31, 2003 1774 U.S. PATENT DOCUMENTS FXAMINER FILING DATE INITIAL DOCUMENT NUMBER DATE NAME CLASS SURCLASS IF APPROPRIATE 7/8/03 1 6 6 Martensson et al. 11/4/03 Safta et al 3 7 1 1/6/81 Kosaka et al 1 8 6 1/2/01 Clark 5/15/01 Knik D 4 4 2 2 9 6 2 2 9 7 5/15/01 KDEk 2 5/15/01 Knfk 9 0 5/22/01 Knik 2 0 5/22/01 Kniik 2 3 8 7 9 8 5/29/01 Kang et al. 10/9/01 D 4 9 1 1 9 Kelik Knlik D 4 9 3 9 1 10/16/01 2 10/18/01 Knlik 6/4/02 Martensson 3 1 9 8/20/02 Safta et al 6 4 0 5 9/10/02 Pervan FORFIGN PATENT DOCUMENTS. TRANSLATION DOCUMENT NUMBER DATE COUNTRY CLASS SUBCLASS NO VEC 96 / 3 0 1 7 10/3/96 WO 3 0 6/28/99 NO 8 1 4 11/30/98 SE 5 0 0 5 9 FR 4 10/16/91 11/26/93 FR 7 4/29/94 FR 2 2 1 8 7 7 1/16/41 CH 6 2 3 7 2 4 | 11/9/94 EP a 5/10/95 EP 6 5 2 3 4 9 4 1 6 6/24/98 EP OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) EXAMINER DATE CONSIDERED

U.S. Department of Commerce Atty, Docket No. Application No.
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October 31, 2003

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) Applicant
Thomas Grafenauer
Filing Date Group Art Unit

1774

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6 4 5 8 2 3 2	10/1/02	Valentinsson			
	6 4 6 1 6 3 6	10/8/02	Arth et al.			
	2005/0003149	1/6/05	Komfalt et al.			
	2004/0258907	12/23/04	Komfalt et al.			
	2002/0106439	8/8/02	Cappelle			
	2004/0092006	5/13/04	Lindekens et al.			
	4 0 9 1 1 3 6	5/23/78	O'Brian et al.			
	6 1 8 6 7 0 3	2/13/01	Shaw			
	4 7 5 2 4 9 7	6/21/88	McConkey et al.			
	2003/0115812	6/26/03	Pervan			
	2003/0196405	10/23/03	Pervan			
	2003/0115821	6/26/03	Pervan			
	2003/0233809	12/25/03	Pervan			
	2004/0035078	2/26/04	Pervan			
	2004/0139678	7/22/04	Pervan			
	2004/0016196	1/29/04	Pervan			
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	98 / 3 8 4 0 1	9/3/98	WO			
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P27109.P01 Sheet 10 of 22

FORM PTO-1449 U.S. Department of Commerce Attv. Docket No. Application No. P27109 Patent and Trademark Office 10/697.561 Applicant INFORMATION DISCLOSURE STATEMENT Thomas Grafenauer BY APPLICANT (Use several sheets if necessary) Filing Date Group Art Unit October 31, 2003 1774 U.S. PATENT DOCUMENTS EXAMINER FILING DATE INITIAL DOCUMENT NUMBER DATE NAME CLASS SUBCLASS IF APPROPRIATE 2003/0029116 2/13/03 Moriau et al 2003/0029117 2/13/03 Moriau et al 2 4 9/23/86 Hoyde 2 3 12/31/85 Harter et al. 12/29/87 Brightwell 5 1 6 2 8 4 5 9 0 7 7/11/89 Meek 2 2 3/31/87 Fzard 5 3 4 5/23/89 Niese et al 8 3 8 0 3 1 4 8/31/65 Soddy King, Jr 2 2 0 0 11/1/66 2/6/73 1 4 7 4 Curren 8/23/86 Omholt 2 6 7 3 3 5 5 5 7 6 1/19/71 Costanzo, Jr. 3 5 3 я 1 1/12/71 Omholt 8 12/2/69 Waite 4 6 0 3 0 4 8/12/69 Braeuninger et al. 9/23/75 n 8 0 5 3 Hettich 3 а 2 2 9 9/2/75 Witt et al. 0 2/3/76 9 3 5 5 Elmendorf et al 5 1 5 7 2/11/03 Pervan 7 3 1/1/35 Mitte FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY CLASS SUBCLASS YES NΩ 11/26/83 FR - 1 2 1 2 2 7 3/10/66 DE 7-3 0 0 9 7 9 11/14/95 JP 19 7 0 6 4 9/24/98 DE 9 3 2 7 2/18/66 DE 12/22/00 19 DE 7 3/20/95 JP. - 7 6 9 2 OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.) FXAMINER DATE CONSIDERED *EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

P27109.P01 Sheet 11 of 22

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P27109.P01 Sheet 13 of 22

FORM PTO-1449 U.S. Department of Commerce Atty. Docket No. Application No. 10/897 561 Patent and Trademark Office P27109 Applicant INFORMATION DISCLOSURE STATEMENT Thomas Grafenauer BY APPLICANT (Use several sheets if necessary) Group Art Unit Filing Date October 31, 2003 1774 U.S. PATENT DOCUMENTS FXAMINER FILING DATE INITIAL DOCUMENT NUMBER DATE NAME 22412 RUBCLASS IF APPROPRIATE 4 2 8 2 0 1/24/84 Terbrack et al. 2 3 0 2 0 11/4/47 Wilson 8 5 0 0 0 1/7/75 Webster n 9/1/70 Brancaleone 7 4/3/01 R 2 Tychsen 6 8 3 7/16/02 Martensson et al. 5 1 5 6 8 7/15/03 Paisson 9 7 2 3 8/25/98 Finkell Jr. 9 7 1 8 8 9/16/30 Lanob'aum 1 8/15/00 Martensson 2/12/02 5 4 8 1 Nelson 12/10/02 Moriau et al 4 9 0 8 3 6 2002/0046528 4/25/02 Pervan et al 7 7 2 5 8 8/10/04 Thiers et al 2004/0105994 6/3/04 Lu et al. 4 2/12/84 4 4 3 1 Rringgii FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COLINTRY CLASS SUBCLASS YES NO 09034 5 3/24/99 EP FP 5 4 4 1 7/23/03 00 1 0 6 8 5 4 2/10/00 wo 10/27/77 DF 6 1 6 0 7 ES 6 9/18/68 9 4 5/16/78 ES 4 6 0 1 9 5 8 5 12/12/91 ES 2 8 3 3 3 1 5/16/85 ES 9/13/01 01 1 6 6 7 6 wo 99 1 6 8 5 2 12/23/99 WO nn 1 6 6 8 5 6 11/9/00 WO OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) FXAMINER DATE CONSIDERED *EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)

P27109 10/697.561 Applicant

Thomas Grafenauer Filing Date Group Art Unit October 31, 2003

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Application No.

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P27109.P01 Sheet 16 of 22
FORM PTO-1449 U.S. Department of Commerce | Atty, Docket No. | Application No.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)

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Applicant

Thomas Grafenauer
Filing Date Group Art Unit
October 31, 2003 1774

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)

Patent and Trademark Office | P27109 10/697.561 Applicant Thomas Grafenauer Filing Date Group Art Unit 1774

U.S. PATENT DOCUMENTS

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FORM PTO-1449 U.S. Department of Commerce Atty. Docket No. Application No. Patent and Trademark Office 10/697 561 P27109 Applicant INFORMATION DISCLOSURE STATEMENT Thomas Grafenauer BY APPLICANT (Use several sheets if necessary) Filing Date Group Art Unit October 31 2003 1774 U.S. PATENT DOCUMENTS EXAMINER FILING DATE DATE NAME CLASS SUBCLASS INITIAL DOCUMENT NUMBER IF APPROPRIATE 3 4 7 3 8/9/94 Chase 8/11/92 6 я 2 3 Pellegring 4 я 5 R 8 4/29/88 Forry et al 2 Q n 4 8 9/22/81 Kemerer et al 0 12/26/78 Kubinsky 3 8 0 3 4/15/75 Cook 2 2 4 8 9 8 5/1/01 Endo 6 4 2 0 7/23/02 Martensson et al. 2 4 7 2 8 5 6/19/01 Moebus 7 8 6 0 9/7/04 Thiers 2003/0159385 8/28/03 Thiers 4 Ω 6 12/10/02 Moriau et al 9 3 1 0 6 5 1/28/03 Pervan 6 5 3 6 1 7 8 3/18/03 Pervan 1 3/25/03 Pálsson et al R 6 g 4/15/03 Pennolder 7/15/03 Pálson 6 9 6 8 6 7 7 2 5 6 8/10/04 Thiers et al. 6 7 6 9 2 1 8/3/04 Pervan FOREIGN PATENT DOCUMENTS TRANSLATION DOCUMENT NUMBER DATE COUNTRY CLASS SUBCLASS YES. NO R/13/R5 DF 3 4 - 3 R n 1 1/20/94 wn 94 6 2 8 93 3 2 8 7/8/93 wn DE 2 2 2/7/74 57-1 1 a 0 5 7/24/82 JP. 12/18/97 wo 97 4 7 я 3 4 94 2 6 g 0 a 24/11/94 WO 84 2 6/7/84 wo - / n - 1 5 OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) FXAMINER DATE CONSIDERED *EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through

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